

Order

Michigan Supreme Court
Lansing, Michigan

January 29, 2016

Robert P. Young, Jr.,
Chief Justice

150286

Stephen J. Markman
Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein
Joan L. Larsen,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 150286
COA: 311441
St. Clair CC: 12-000721-FC

ROBIN SCOTT DUENAZ,
Defendant-Appellant.

On January 14, 2016, the Court heard oral argument on the application for leave to appeal the July 10, 2014 judgment of the Court of Appeals. On order of the Court, the application is again considered, and it is DENIED, because we are not persuaded that the question presented should be reviewed by this Court. We note, however, that the Court of Appeals has remanded this case to the St. Clair Circuit Court for resentencing, and that any such resentencing must comply with the procedure described in *People v Lockridge*, 498 Mich 358 (2015).

In addition, we encourage the Legislature to clarify whether evidence of prior sexual abuse constitutes “sexual conduct” within the meaning of the rape-shield statute, MCL 750.520j. The statute does not define “sexual conduct,” and the proper construction of that term is a question that has divided Justices of this Court. See *People v Parks*, 483 Mich 1040 (2009) (YOUNG, J., concurring) (MARKMAN, J., dissenting); *People v Piscopo*, 480 Mich 966 (2007) (MARKMAN, J., dissenting).



s0126

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

January 29, 2016


Clerk